

remarks on the conference report to accompany H.R. 4576, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CONFERENCE REPORT ON H.R. 4576,
DEPARTMENT OF DEFENSE AP-
PROPRIATIONS ACT, 2001

Mr. LEWIS of California. Mr. Speaker, pursuant to House Resolution 554, I call up the conference report on the bill (H.R. 4576), making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 554, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 17, 2000 at page H6102.)

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. LEWIS).

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

First, let me say that this conference report is, in my judgment, a fabulous piece of work. It provides funding for fiscal year 2001 at levels that reflect very much the legislation that was passed by the House only a few weeks ago. Indeed, as the Members may know, I was somewhat disconcerted by the supplemental bill that we passed some weeks ago, because it was my view that that legislation, while significant, failed to fully address certain critical areas of interest, such as our readiness needs, the contingency operations funding challenges that exist around the world, all the outstanding needs, military medical system, et cetera. We made up for much of that in an emergency funding title in their conference report.

Indeed, in working with the other side of the aisle, we have had truly a hallmark year, in terms of laying the foundation for our future national de-

fense. We need to make sure that America continues to lead the world as the strongest among the countries of the world and continue to play our role on behalf of freedom.

Mr. Speaker, let me say that I would like to express to the Members my deepest appreciation for the work done with my colleague, the gentleman from Pennsylvania (Mr. MURTHA); indeed, the cooperation of the ranking member of the full committee has been extremely helpful as well. I must say that the staff on both sides of the aisle, Kevin Roper and his gang of, it looks like 112 staff people, but it is actually only 13 women and men doing three dozen people's work.

Beyond that, Mr. Speaker, let me say that the cooperation on the Senate side, in the other body's committee has been extremely valuable as well. The work of that staff, led by Steve Coates, as well as Senator STEVENS and the ranking member Senator INOUE, are very much appreciated.

At this point I would like to insert for the RECORD a summary of the funding levels agreed to in the conference agreement.

H.R. 4576 - DEFENSE APPROPRIATIONS, 2001

(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	House	Senate	Conference	Conference vs. enacted
TITLE I						
MILITARY PERSONNEL						
Military Personnel, Army.....	22,006,361	22,198,457	22,242,457	22,173,929	22,175,357	+168,996
Military Personnel, Navy.....	17,258,823	17,742,897	17,799,297	17,877,215	17,772,297	+513,474
Military Personnel, Marine Corps.....	6,555,403	6,822,300	6,818,300	6,831,373	6,833,100	+277,997
Military Personnel, Air Force.....	17,861,803	18,282,834	18,238,234	18,110,764	18,174,284	+312,481
Reserve Personnel, Army.....	2,289,996	2,433,880	2,463,320	2,458,961	2,473,001	+183,005
Reserve Personnel, Navy.....	1,473,388	1,528,385	1,566,095	1,539,490	1,576,174	+102,786
Reserve Personnel, Marine Corps.....	412,650	436,386	440,886	446,586	448,886	+36,236
Reserve Personnel, Air Force.....	892,594	981,710	980,610	963,752	971,024	+78,430
National Guard Personnel, Army.....	3,610,479	3,747,636	3,719,336	3,781,236	3,782,536	+172,057
National Guard Personnel, Air Force.....	1,533,196	1,627,181	1,635,681	1,634,181	1,641,081	+107,885
Total, title I, Military Personnel.....	73,894,693	75,801,666	75,904,216	75,817,487	75,847,740	+1,953,047
TITLE II						
OPERATION AND MAINTENANCE						
Operation and Maintenance, Army.....	19,256,152	19,073,731	19,386,843	19,049,881	19,144,431	-111,721
(By transfer - National Defense Stockpile).....	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	.....
Operation and Maintenance, Navy.....	22,958,784	23,250,154	23,426,830	23,398,254	23,419,360	+460,576
(By transfer - National Defense Stockpile).....	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	.....
Operation and Maintenance, Marine Corps.....	2,808,354	2,705,658	2,813,091	2,729,758	2,778,758	-29,596
Operation and Maintenance, Air Force 2/.....	20,896,959	22,296,977	22,316,797	22,268,977	22,383,521	+1,486,562
(By transfer - National Defense Stockpile).....	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	.....
Operation and Maintenance, Defense-Wide.....	11,489,483	11,920,069	11,803,743	11,991,688	11,844,480	+354,997
Operation and Maintenance, Army Reserve.....	1,469,176	1,521,418	1,596,418	1,529,418	1,562,118	+92,942
Operation and Maintenance, Navy Reserve.....	958,978	960,946	992,646	968,946	978,946	+19,968
Operation and Maintenance, Marine Corps Reserve.....	138,911	133,959	145,959	141,159	145,959	+7,048
Operation and Maintenance, Air Force Reserve.....	1,782,591	1,885,859	1,921,659	1,893,859	1,903,859	+121,068
Operation and Maintenance, Army National Guard.....	3,161,378	3,182,335	3,263,235	3,330,535	3,333,835	+172,457
Operation and Maintenance, Air National Guard.....	3,241,138	3,446,375	3,480,375	3,481,775	3,474,375	+233,237
Overseas Contingency Operations Transfer Fund.....	1,722,600	4,100,577	4,100,577	4,100,577	3,938,777	+2,216,177
United States Court of Appeals for the Armed Forces.....	7,621	8,574	8,574	8,574	8,574	+953
Environmental Restoration, Army.....	378,170	389,932	389,932	389,932	389,932	+11,762
Environmental Restoration, Navy.....	284,000	294,038	294,038	294,038	294,038	+10,038
Environmental Restoration, Air Force.....	376,800	376,300	376,300	376,300	376,300	-500
Environmental Restoration, Defense-Wide.....	25,370	23,412	23,412	21,412	21,412	-3,958
Environmental Restoration, Formerly Used Defense Sites.....	239,214	186,499	196,499	231,499	231,499	-7,715
Overseas Humanitarian, Disaster, and Civic Aid.....	55,600	64,900	56,900	55,900	55,900	+100
Former Soviet Union Threat Reduction.....	460,500	458,400	433,400	458,400	443,400	-17,100
Pentagon Renovation Transfer Fund.....	222,800	.....	.....	.....	.....	-222,800
Quality of Life Enhancements, Defense.....	300,000	.....	480,000	.....	160,500	-139,500
Total, title II, Operation and maintenance.....	92,234,779	96,280,113	97,507,228	96,720,882	96,889,774	+4,654,995
(By transfer).....	(150,000)	(150,000)	(150,000)	(150,000)	(150,000)	.....
TITLE III						
PROCUREMENT						
Aircraft Procurement, Army.....	1,451,688	1,323,262	1,547,082	1,532,862	1,571,812	+120,124
Missile Procurement, Army.....	1,322,305	1,295,728	1,240,347	1,329,781	1,320,681	-1,624
Procurement of Weapons and Tracked Combat Vehicles, Army.....	1,586,490	1,874,638	2,634,786	2,166,574	2,472,524	+886,034
Procurement of Ammunition, Army.....	1,204,120	1,131,323	1,227,386	1,212,149	1,220,516	+16,396
Other Procurement, Army.....	3,738,934	3,785,870	4,254,564	4,060,728	4,497,009	+758,075
Aircraft Procurement, Navy.....	8,662,655	7,963,858	8,179,564	8,426,499	8,477,138	-185,517
Weapons Procurement, Navy.....	1,383,413	1,434,250	1,372,112	1,571,650	1,461,600	+78,187
Procurement of Ammunition, Navy and Marine Corps.....	525,200	429,649	491,749	471,749	498,349	-26,851
Shipbuilding and Conversion, Navy.....	7,053,454	12,296,919	12,266,919	11,612,090	11,614,633	+4,561,179
Other Procurement, Navy.....	4,320,238	3,334,611	3,433,063	3,400,180	3,557,380	-762,858
Procurement, Marine Corps.....	1,300,920	1,171,935	1,229,605	1,196,368	1,233,268	-67,652
Aircraft Procurement, Air Force.....	8,228,630	9,539,602	10,064,032	7,289,934	7,583,345	-645,285
Missile Procurement, Air Force 3/.....	2,211,407	3,031,346	2,893,529	2,920,815	2,863,778	+652,371
Procurement of Ammunition, Air Force.....	442,537	638,808	638,808	654,808	647,808	+205,271
Other Procurement, Air Force.....	7,146,157	7,699,127	7,778,997	7,605,027	7,763,747	+617,590
Procurement, Defense-Wide.....	2,249,566	2,275,308	2,303,136	2,294,908	2,346,258	+96,692
Defense Production Act Purchases.....	3,000	.....	3,000	.....	3,000	.....
National Guard and Reserve Equipment.....	150,000	.....	.....	150,000	100,000	-50,000
Total, title III, Procurement.....	52,980,714	59,236,234	61,558,679	57,896,122	59,232,846	+6,252,132

H.R. 4576 - DEFENSE APPROPRIATIONS, 2001 — continued

(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	House	Senate	Conference	Conference vs. enacted
TITLE IV						
RESEARCH, DEVELOPMENT, TEST AND EVALUATION						
Research, Development, Test and Evaluation, Army.....	5,266,601	5,260,346	6,025,057	5,683,675	6,342,552	+1,075,951
Research, Development, Test and Evaluation, Navy.....	9,110,326	8,476,677	9,222,927	8,812,070	9,494,374	+384,048
Research, Development, Test and Evaluation, Air Force 3/.....	13,674,537	13,696,359	13,760,689	13,931,145	14,138,244	+463,707
Research, Development, Test and Evaluation, Defense-Wide.....	9,256,705	10,238,242	10,918,987	10,952,039	11,157,375	+1,900,670
Developmental Test and Evaluation, Defense.....	265,957					-265,957
Operational Test and Evaluation, Defense.....	31,434	201,560	242,560	218,560	227,060	+195,626
Total, title IV, Research, Development, Test and Evaluation.....	37,605,560	37,873,184	40,170,230	39,597,489	41,359,605	+3,754,045
TITLE V						
REVOLVING AND MANAGEMENT FUNDS						
Defense Working Capital Funds.....	90,344	916,276	916,276	916,276	916,276	+825,932
National Defense Sealift Fund:						
Ready Reserve Force.....	257,000	258,000	270,500	258,000	270,500	+13,500
Acquisition.....	460,200	130,158	130,158	130,158	130,158	-330,042
Subtotal.....	717,200	388,158	400,658	388,158	400,658	-316,542
National Defense Airlift:						
Airlift Fleet Support.....				2,478,723		
Acquisition.....				412,200		
C-17.....					2,170,923	+2,170,923
C-17 advance procurement.....					257,800	+257,800
C-17 ICS.....					412,200	+412,200
Subtotal.....				2,890,923	2,840,923	+2,840,923
Total, title V, Revolving and Management Funds.....	807,544	1,304,434	1,316,934	4,195,357	4,157,857	+3,350,313
TITLE VI						
OTHER DEPARTMENT OF DEFENSE PROGRAMS						
Defense Health Program:						
Operation and maintenance.....	10,522,647	11,244,543	11,525,143	11,437,293	11,414,393	+891,746
Procurement.....	356,970	290,006	290,006	290,006	290,006	-66,964
Research and development.....	275,000	65,880	327,880	402,880	413,380	+138,380
Total, Defense Health Program.....	11,154,617	11,600,429	12,143,029	12,130,179	12,117,779	+963,162
Chemical Agents & Munitions Destruction, Army: 1/						
Operation and maintenance.....	543,500	607,200	607,200	600,000	600,000	+56,500
Procurement.....	191,500	121,900	105,700	105,000	105,700	-85,800
Research, development, test, and evaluation.....	294,000	274,400	214,200	274,400	274,400	-19,600
Total, Chemical Agents.....	1,029,000	1,003,500	927,100	979,400	980,100	-48,900
Drug Interdiction and Counter-Drug Activities, Defense.....	847,800	836,300	812,200	933,700	869,000	+21,200
Office of the Inspector General.....	137,544	147,545	147,545	147,545	147,545	+10,001
Total, title VI, Other Department of Defense Programs.....	13,168,961	13,587,774	14,029,874	14,190,824	14,114,424	+945,463
TITLE VII						
RELATED AGENCIES						
Central Intelligence Agency Retirement and Disability System Fund.....	209,100	216,000	216,000	216,000	216,000	+6,900
Intelligence Community Management Account.....	158,015	137,631	224,181	177,331	148,631	-9,384
Transfer to Dept of Justice.....	(27,000)	(27,000)	(33,100)	(27,000)	(34,100)	(+7,100)
Payment to Kaho'olawe Island Conveyance, Remediation, and Environ- mental Restoration Fund.....	35,000	25,000	25,000	60,000	60,000	+25,000
National Security Education Trust Fund.....	8,000	6,950	6,950	6,950	6,950	-1,050
Total, title VII, Related agencies.....	410,115	385,581	472,131	460,261	431,581	+21,486

H.R. 4576 - DEFENSE APPROPRIATIONS, 2001 — continued

(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	House	Senate	Conference	Conference vs. enacted
TITLE VIII						
GENERAL PROVISIONS						
Ship Transfers (FY99 with FY2000 carryover)	-170,000					+170,000
Additional transfer authority (Sec. 8005)	(1,600,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(+400,000)
Indian Financing Act Incentives (Sec. 8022)	8,000		8,000	8,000	8,000	
Disposal & lease of DOD real property (Sec. 8038)	32,200	24,000	24,000	24,000	24,000	-8,200
Overseas Military Fac Investment Recovery (Sec. 8041)	4,300	3,000	3,000	3,000	3,000	-1,300
Rescissions (Sec. 8055)	-350,180		-690,492	-169,300	-546,980	-196,800
FY 1999 Economic Adjustment (rescission)	-452,100					+452,100
Women in Service for America Memorial	5,000					-5,000
Civilian personnel under execution	-123,200			-56,200		+123,200
Foreign Currency Rev Economic Assumptions (Sec. 8094)	-171,000		-537,600	-789,700	-856,900	-685,900
A-76 Studies	-100,000					+100,000
WMD consequence management	35,000					-35,000
Travel Cards (Sec. 8101)	5,000	5,000	5,000	5,000	5,000	
Recovery of DoD admin expenses from FMS	-87,000					+87,000
Advance pay appropriation	-1,838,426					+1,838,426
Transfer to Department of Transportation (Sec. 8109)	(5,000)			(10,000)	(10,000)	(+5,000)
Aircraft leasing	19,000			5,000		-19,000
Munitions/Readiness	-100,000					+100,000
American Red Cross (Sec. 8141)	5,000				5,000	
United Service Organizations (Sec. 8112)	5,000			10,000	7,500	+2,500
F-22 Program Transfer Account	1,000,000					-1,000,000
F-22 Program Termination Liability	300,000					-300,000
Performance Based Academic Model (Sec. 8114)	5,500		5,000		5,000	-500
Seattle Conveyance	1,000					-1,000
Eisenhower Memorial Commission	300					-300
Rome Labs	13,000					-13,000
Aviation Support Facility	10,000					-10,000
Depot Maintenance	-400,000					+400,000
Spares	-550,000					+550,000
Base Operations	-100,000					+100,000
Munitions	-356,400					+356,400
O&M general reduction	-7,200,000					+7,200,000
O&M contingent emergency	7,200,000					-7,200,000
Working Capital Fund Cash Balances (Sec. 8085)			-800,000		-800,000	-800,000
Foreign Currency Cash Balance Stabilization			-463,400			
Preservation of Democracy (Sec. 8129)				20,000	20,000	+20,000
Quarantine benefits (Sec. 8132)				1,000	1,000	+1,000
National D-Day Museum (Sec. 8134)				2,100	2,100	+2,100
Inflation rescission - Procurement				-173,711		
Inflation rescission - RDT&E				-145,977		
BMDO Support reduction management (Sec. 8126)				-26,154	-14,000	-14,000
Ship scrapping initiative (Sec. 8136)				10,000	10,000	+10,000
Chicago Military Academy (Sec. 8135)				5,000	5,000	+5,000
Joint information technology center				20,000		
San Bernardino (Newmark) (Sec. 8156)					10,000	+10,000
CAAS/Contract Growth (Sec. 8163)					-71,367	-71,367
Excess Funded Carryover (Sec. 8164)					-92,700	-92,700
Headquarters and Administration (Sec. 8165)					-159,076	-159,076
Gulf War Illness (Sec. 8154)					1,650	+1,650
U.S./China Security Review Commission (Sec. 8148)					3,000	+3,000
Fisher House (Sec. 8158)					2,000	+2,000
Zero emission steam technology demo (Sec. 8161)					2,000	+2,000
Oakland military academy (Sec. 8155)					2,000	+2,000
Brownfield site (Sec. 8157)					2,000	+2,000
FY01 economic adjustment general reduction (Sec. 8086)					-705,000	-705,000
Overseas Contingency Oper Transfer Fund (Sec. 8166)					-1,100,000	-1,100,000
Total, title VIII	-3,350,006	32,000	-2,446,492	-1,247,942	-4,227,773	-877,767
TITLE IX - ADDITIONAL FY 2000 EMERGENCY SUPPLEMENTAL APPROPRIATIONS						
Operation and Maintenance: Overseas Contingency Operations Transfer Fund (contingent emergency)					1,100,000	+1,100,000
Contingent emergency (sec. 9001)					679,000	+679,000
Total, title IX, FY 2000 Supplemental					1,779,000	+1,779,000
Grand total, FY 2001 bill	267,752,360	284,500,986	288,512,800	287,630,500	287,806,054	+20,053,694
FY 2000 supplemental					1,779,000	+1,779,000

H.R. 4576 - DEFENSE APPROPRIATIONS, 2001 — continued
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	House	Senate	Conference	Conference vs. enacted
OTHER APPROPRIATIONS						
Waiver of certain sanctions against India and Pakistan.....	43,000					-43,000
P.L. 106-113:						
Title II - O&M, Army.....	100,000					-100,000
Title VI - 1994 Friendly Fire Settlement.....	2,000					-2,000
Title III - Across the board cut (0.38%).....	-1,028,000					+1,028,000
Division B - H.R. 4425:						
Title I - Kosovo and other national security matters (net).....	6,452,103					-6,452,103
Title III - Counternarcotics.....	184,059					-184,059
Total, other appropriations.....	5,753,162					-5,753,162
Adjusted total (incl other appropriations).....	273,505,522	284,500,986	288,512,800	287,630,500	289,585,054	+16,079,532
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments:						
Adjustment for unapprop'd balance transfer (Stockpile).....	150,000	150,000	150,000	150,000	150,000	
Stockpile collections (unappropriated).....	-150,000	-150,000	-150,000	-150,000	-150,000	
Spectrum.....	-2,600,000					+2,600,000
O&M, Army transfer to National Park Service:						
Defense function.....			-6,000		-5,000	-5,000
Nondefense function.....			6,000		5,000	+5,000
O&M, AF transfer to Dept of Transportation:						
Defense function.....				-10,000	-10,000	-10,000
Nondefense function.....				10,000	10,000	+10,000
Subtotal.....	-2,600,000					+2,600,000
Advance pay appropriation (P.L. 106-31).....	1,838,426					-1,838,426
FY 2000 emergency supplemental.....					-1,779,000	-1,779,000
Total adjustments.....	-761,574				-1,779,000	-1,017,426
Adjusted total (incl scorekeeping adjustments).....	273,505,522	284,500,986	288,512,800	287,630,500	289,585,054	+16,079,532
Appropriations.....	(274,307,802)	(284,500,986)	(289,203,292)	(287,799,800)	(290,132,034)	(+15,824,232)
Rescissions.....	(-802,280)		(-690,492)	(-169,300)	(-546,980)	(+255,300)
Total mandatory and discretionary.....	273,505,522	284,500,986	288,512,800	287,630,500	289,585,054	+16,079,532
Mandatory.....	209,100	216,000	216,000	216,000	216,000	+6,900
Discretionary.....	273,296,422	284,284,986	288,296,800	287,414,500	289,369,054	+16,072,632
RECAPITULATION						
Title I - Military Personnel.....	73,894,693	75,801,666	75,904,216	75,817,487	75,847,740	+1,953,047
Title II - Operation and Maintenance.....	92,234,779	96,280,113	97,507,228	96,720,882	96,889,774	+4,654,995
(By transfer).....	(150,000)	(150,000)	(150,000)	(150,000)	(150,000)	
Title III - Procurement.....	52,980,714	59,236,234	61,558,679	57,896,122	59,232,846	+6,252,132
Title IV - Research, Development, Test and Evaluation.....	37,605,560	37,873,184	40,170,230	39,597,489	41,359,605	+3,754,045
Title V - Revolving and Management Funds.....	807,544	1,304,434	1,316,934	4,195,357	4,157,857	+3,350,313
Title VI - Other Department of Defense Programs.....	13,168,961	13,587,774	14,029,874	14,190,824	14,114,424	+945,463
Title VII - Related agencies.....	410,115	385,581	472,131	460,281	431,581	+21,466
Title VIII - General provisions.....	-3,350,006	32,000	-2,446,492	-1,247,942	-4,227,773	-877,767
Total, Department of Defense (in this bill).....	267,752,360	284,500,986	288,512,800	287,630,500	287,806,054	+20,053,694
Funds provided in Supplemental Acts.....	1,838,426					-1,838,426
Other appropriations.....	5,753,162					-5,753,162
Total DoD funding available.....	275,343,948	284,500,986	288,512,800	287,630,500	287,806,054	+12,462,106
Other scorekeeping adjustments.....	-2,600,000					+2,600,000
Total mandatory and discretionary.....	272,743,948	284,500,986	288,512,800	287,630,500	287,806,054	+15,062,106
Title IX - FY 2000 Emergency supplemental.....					1,779,000	+1,779,000

1/ Included in Budget under Procurement title.

2/ O&M, AF request reduced by \$300,000 by a technical correction budget amendment (H. Doc. 106-222).

3/ A budget amendment reduced MPAF by \$30,369,000 and increased R&D, AF by \$10,783,000 for the Global Positioning System (H. Doc. 106-240).

Mr. Speaker, I reserve the balance of my time.

Mr. MURTHA. Mr. Speaker, this is basically the same bill that we passed in the House.

I yield such time as he may consume to the gentleman from Ohio (Mr. KUCINICH).

(Mr. KUCINICH asked and was given permission to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, I will include in the RECORD at this point materials relevant to this debate.

I object to the passage of the conference report because it contains billions of dollars for the inception of a failed missile program which has already cost the taxpayers of the United States over \$60 billion in its previous presentations. I ask my colleagues to review the record of failures and also to review the anti-democratic lengths to which the Department of Defense is going to try to cover-up the failures of the system.

NATIONAL MISSILE DEFENSE HOW IT IS SUPPOSED TO WORK

The ground-based anti-missile system would track warheads using ground-based radars and satellite-based infrared sensors, and the kill vehicles would use infrared sensors to home in on their targets.

An intercontinental missile when it is launched starts out early in its trajectory as a large missile, hot (because the rocket engine is still burning) and slow. This is called the boost phase. It would take approximately 30 minutes for a missile to reach its farthest point of 6,000 miles. The boost phase lasts 5 minutes.

When the boost phase ends and there is about 300 miles left before impact, only the warhead is left, leaving a small, cold (and therefore hard for infra-red sensors to see) and fast. This makes the warhead a much more difficult target. At this point the warhead is traveling at a few miles per second.

So, this small, fast and hard to track warhead must be hit by an anti-missile traveling at a faster speed. This is how the system has received the analogy of trying to hit a "bullet with a bullet". It is practically impossible to do now, under controlled conditions.

TECHNOLOGICAL FAILURE

Before the decision is made, three exo-atmospheric intercept tests have been scheduled to determine the system success rate and reliability to deploy the system. The one of two tests failed. And the third test has been put off twice because it was not ready for testing. Three tests can not define the technical readiness of the system and serve the basis for deploying a national missile defense.

With only two of 19 tests conducted, it has yet to work under real-world conditions. According to a report by The Coalition to Reduce Nuclear Dangers and the Council for a Livable World Education Fund other anti-missile systems have been put through far more rigorous testing. The "Safeguard" missile defense system, deployed in 1975 and canceled after one day of operation, was put through 165 missile flight tests. The "Patriot" theater missile defense system was tested 114 times.

According to testimony taken from Dr. David Wright of the Union of Concerned Scientists before the US Senate Committee on Foreign Relations in 1998:

"... Since 1982 the US has conducted 16 intercept tests of exo-atmospheric hit-to-kill

interceptors, which operate in a similar manner to the planned NMD interceptor. To date, the test record of such interceptors has been abysmal. Only 2 of these 16 intercept tests scored hits, for a 13 percent success rate. And the test record is not getting better with time: the most recent successful high-altitude test occurred in January 1991 and the last 11 such intercept tests have been failures."

FRAUD DECEPTION AND MANIPULATED TESTS— NMD IS A TECHNOLOGICAL FAILURE

The Department of Defense recently "classified" a public letter and attachments from an MIT scientist, Dr. Ted Postol, containing devastating information about the failure of the national missile defense system, its inherent inability ever to protect the United States, and the fraud used to cover up these facts. Dr. Postol is a missile expert who worked in the Reagan Administration and has done analysis of weapons systems for the government.

According to Dr. Postol, the system failed those tests. The New York Times states that, "The Pentagon hailed the first intercept try as success but later conceded that the interceptor had initially drifted off course and picked out the decoy balloon rather than the warhead."

That is because, according to the Times, the system cannot tell the difference between warheads and decoys. Experiments with the National Missile Defense system have revealed that the system is "inherently unable to make the distinction [between target warhead and decoys]."

The Times characterized the MIT scientist as saying that the signals "from the mock warhead and decoys . . . 'fluctuated in a varied and totally unpredictable way,' revealing no feature 'that could be used to distinguish one object from the other.'" Indeed, the Times reported, "the test showed that warheads and decoys are so similar that sensors might never be able to tell them apart." In other words, national missile defense does not work and cannot work because it's inherently unable to tell the difference between warheads and decoys.

Not only is the national missile defense system incapable of working, but, according to the Times, contractors and the Pentagon have purposely altered data to create a different appearance. The Times reported that the "Pentagon and its contractors had tried to hide this failure" and that the MIT professor "says the Pentagon conspired to cover up this sensor problem."

The Times, quoting from the classified letter and analysis, goes on to say, "the analytical team arbitrarily rejected and selected data to create an 'elaborate hoax' that was then hidden in reports by the use of 'misleading, confusion, and self-contradictory language.'" According to the Times, "the coverup, [MIT scientist] said, was 'like rolling a pair of dice and throwing away all outcomes that did not give snake eyes.'"

TRW, Inc. One of the major contractors for this system has had allegations of fraud made against it by a former senior engineer from TRW, Dr. Nira Schwartz. She has provided information challenging the claims the company made about the weapons ability to distinguishing decoys from actual warheads.

I have written to FBI Director, Louis Freeh, to investigate these allegations of fraud and cover-up of this program by Dr. Postol. The American people need an independent investigation of this matter to determine these serious allegations.

Moreover, according to Postol, all the data used for his analysis was unclassified when

he used it. All his supporting information that he sent to the White House was also designated as unclassified. The DoD has classified allegations and evidence of fraud made from information that was unclassified by the Department. This could be in violation of Executive Order 12958. And I have included this in the letter to Mr. Freeh.

The Executive Order prohibits the use of the classification system to hide fraud or other wrongdoing. Subsection 1.8(a) states "In no case shall information be classified in order to: (1) conceal violations of law, inefficiency, or administrative error; (2) prevent embarrassment to a person, organization, or agency; (3) restrain competition; or (4) prevent or delay the release of information that does not require protection in the interest of national security." Furthermore, the Executive Order states at 1.8(c): "Information may not be reclassified after it has been declassified and released to the public under proper authority." Needless to say, the public deserve to expect that the laws of the nation, including Executive Order 12958, be upheld and enforced.

COUNTERMEASURES

The 1999 National Intelligence Estimate on the ballistic missile threat to the United States—a document prepared by the US intelligence community—stated that countermeasures would be available to emerging missile states.

According to the Union for Concerned Scientist, countermeasures could be deployed more rapidly and would be available to potential attackers before the United States could deploy even the much less capable first phase of the system.

A report by the Union of Concerned Scientist details how easily countermeasures could be used against this system. And it would not have to use new technology or new materials.

For example, it states that biological or chemical weapons can be divided into many small warheads called "submunitions." Such submunitions, released shortly after boost phase, would overwhelm the planned defense. Any long-range missile attack with biological or chemical agents would almost certainly be delivered by submunitions, and that the NMD system could not defend against such an attack.

Also, you have heard about the past tests have used balloons as decoys, to see whether the missile can discriminate between the real war head and the missile. What could happen is that an attacker can deploy its nuclear weapons inside balloons along with many other empty balloons. So, the real warhead is indistinguishable from the decoys, therefore tricking the infra-red sensors. Nuclear warheads could also be with cooled materials that would prevent the kill vehicles from detecting and hitting the warhead.

COST ESTIMATES

The Congressional Budget Office has estimated that the system will cost \$60 billion to build and deploy. Congress intends to spend \$12 billion in the next 6 years.

The SDI/Star Wars system has cost the taxpayer more than \$60 billion and it estimated that this system, though less far reaching than Star Wars will cost more.

We have spent more than \$122 billion dollars on various missile defense systems. We need to reorganize our priorities and look at how we could better use these funds for programs, that benefit the poor, seniors and our nation's children.

ALTERNATIVES

We are the ONLY superpower in the world. The deterrent that we currently have is sufficient. We have thousands of missiles on hand that act as a deterrent. Any attack by another state would not be massive and would not be able to completely destroy our country or our nuclear arsenals. So any attack would leave the U.S. and its armed forces intact. Our deterrent is impaired only if another state had enough missiles to knock off ours before they launched. The Star Wars system in the 80's assumed that Russia had enough missiles to destroy our missiles before they could launch, that is why we spent \$69 billion dollars searching for way to stop incoming missiles, but that has changed and now we have full diplomatic relations with Russia.

We could use much cheaper measures to secure our national security. For example, preventative measures. Why not increase funding for our State Department to boost our diplomatic arms with these so-called rogue states? We know that strengthening diplomatic relations with nations ensures national security.

For example, France and Britain both have Submarine-Launched Ballistic missiles (64 and 48 respectively) or sea based missiles. But they have never attacked us or have never indicated that they will attack the United States. Why? Because we are allies. Because we have close economic and diplomatic ties. Israel has long ranged nuclear capabilities, but will they ever attack the United States, no? Why, because we are allies. Diplomacy is key. What makes these countries different than say North Korea or Iran? Our historical diplomatic relationship.

WHO WILL BENEFIT FROM THE NATIONAL MISSILE DEFENSE SYSTEM?

The national missile defense system will simply line the pockets of major weapons contractors, spending billions of dollars for a system that doesn't work and doesn't protect against real threats, we will undermine legitimate military expenditures, and erode readiness of our forces. So who's benefitting from having a national missile defense system? According to the Washington Post, Boeing in 1998 already obtained a three year contract for \$1.6 billion dollars to assemble a basic system, before the President has even decided to deploy the system. The Post states that TRW has contracts for "virtually every type of missile defense program."

The military industry has the most to gain from a National Missile Defense system. According to the Washington Post, Lockheed Martin is the major contractor on theater missile defense, "with its upgraded version of the Patriot missile and the Army's \$14 billion Theater High Altitude Area Defense system.

According to Common Cause the defense industry as a whole supplied more than \$2.3 million dollars in soft money to major campaigns last year.

NMD EFFECT ON NUCLEAR NON-PROLIFERATION AND INTERNATIONAL RELATIONS

Deploying a national missile defense system could politically succeed in setting the stage for a world-wide arms race and dismantle past arms treaties. The NMD violates the central principle of the ABM Treaty, which is a ban on the deployment of strategic missile defenses. It will undermine the Nuclear Non-Proliferation Treaty. It will frustrate SALT II and SALT III.

It will lead directly to proliferation by the nuclear nations. It will lead to transitions toward nuclear arms by the non-nuclear na-

tions. It will make the world less safe. It will lead to the impoverishment of the people of many nations as budgets are re-fashioned for nuclear arms expenditures. That the United States would be willing to risk a showdown with Russia or China and the rest of the world over the unlikely possibility that North Korea may one day have a missile which can touch the continental United States—argues for talks with North Korea, not the beginning of a new world-wide arms race.

CIA officials realize that deploying a national missile defense system would cause world wide instability and endanger relations with our allies in Europe. The LA Times recently reported that officials are writing a secret report outline their thoughts on the devastating impact that this system will have throughout the world.

Russia and the US signed agreements (1) establishing a permanent joint early-warning center in Moscow to prevent miscalculations about missile launches, and (2) to reduce their stockpiles of military-grade plutonium by 34 tons each. This is a great sign. I think that dialogue is the step in the right direction, but nothing was resolved regarding the proposal of the ABM Treaty. I think it is a bad idea and it could upset our relationship with our allies to the east.

Even if Russia does agree to changing the ABM Treaty, we will most likely see Russia and China build up their nuclear arsenal risking opportunities to bring them and other nuclear countries into the arms control process.

(NOTE: According to law, any substantive change to a bilateral treaty must be agreed to by the Senate. Therefore, any changes to the ABM Treaty must be ratified by the Senate. The Clinton Administration urged Russia to include a protocol to their ratified ABM Treaty that makes Russia, Ukraine, Belarus and Kazakhstan the four ABM Successors. If the Senate wants to move forward with START II it must first agree to make these four states successors to the ABM Treaty.)

Russia has consistently made statements that deploying a National Missile Defense system would be interpreted by them as a threat to their national security. So, there is a great likelihood that deploying such a system could spark another arms race. For example, Gregory Berdennikov, the director of the Russian Foreign Ministry's Security and Disarmament Department warned that if the United States deploys a missile defense system,

"Russia will be forced to raise the effectiveness of its strategic nuclear armed forces and carry out several other military and political steps to guarantee its national security under new strategic conditions . . . We see no variants which would allow the United States to set up a national ABM system and still preserve the ABM treaty and strategic stability in the world."

I would like to quote Col. General Vladimir Yakovlev, commander of Russia's strategic rocket forces. "Problems have cropped up now with Russian-American 1972 ABM treaty; for this reason, we are forced to build in into our new missiles a capability for penetrating anti-missile defenses." 1999 (Isvestia)

Deploying National Missile Defense is the wrong approach. The United States needs to be in active engagement with Russia about disarmament and reducing nuclear proliferation. We need to continue a dialogue based not on fear but on cooperation.

UN Secretary-General Kofi Annan recently said that deploying a missile defense

system would create a large arms race world wide.

THE THREAT FROM OTHER "ROGUE" NO . . . "STATES OF CONCERN" NATIONS

First of all, any nation with ICBM technology does not have enough missiles to seriously combat the United States. Even if a "rogue" state launches one missile, they would not be able to retaliate because the US could easily bomb them with the thousands of nuclear bombs we have in our arsenal. So it would not make sense.

Also, the deterrent that we currently have is sufficient. We have thousands of missiles on hand that act as a deterrent. Our deterrent is impaired only if another state had enough missiles to knock off ours before they launched. The Star Wars system in the 80's assumed that Russia had enough missiles to destroy our missiles before they could launch, that is why we spent \$69 billion dollars searching for a way to stop incoming missiles. But that has changed and now we have full diplomatic relations with Russia.

I think that no state will challenge the United States in a nuclear face-off. You will need to assume that the state is willing to face the consequences of their launch which would mean total annihilation by US nuclear forces. No state is ready to commit suicide. As I stated earlier, there are nuclear capable nations that would never deploy or launch a nuclear weapon against the United States because there simply is not match. Diplomacy is key. What makes our allies with nuclear weapons different than these "rogue" states? Our diplomatic relationship. Lets dialogue, lets establish diplomatic ties and maintain our national security. And if that doesn't work, we always have the deterrent of our vastly superior, well-stocked nuclear weapons supply.

We also have satellite technology that can pinpoint the origin of incoming missiles, thus resulting in a massive attack by the United States. A country would be suicidal to launch a missile against the United States.

I think the real threat is the risk from Russian missiles being launched accidentally. Russia has about 2000 (out of a total of 6000) nuclear warheads on high alert, all of which is able to destroy the United States in under an hour. The Russian economy has not allowed the government to adequately maintain their nuclear arsenals. I think that we need to first take our missiles off hair-trigger alert to secure against an accidental nuclear launch from Russia.

Keeping nuclear arsenals on hair-trigger alert increases the risk of an accidental nuclear launch caused by a technical either failure or human error. This nearly happened in 1995, when an American weather rocket launched from Norway was misconstrued by the Russians as nuclear attack. The mistake was caught at the last minute. But a human error nearly caused nuclear war. When missiles are at hair-trigger alert, a nuclear war is just an error away. We need to work with Russia through various programs to ensure that this does not happen again.

THE TESTS CONDUCTED THUS FAR ARE FRAUDULENT

IFA-1A Test—This test was the first test where it was discovered that the system did not work. The objective was to understand how objects looked by the sensors. And what they discovered is that the sensor could not distinguish between real warheads and decoys. These sensors locate a target based on its infrared radiation that the target emits. There are three main factors that influences

a sensor's ability to locate objects. The first is the infrared rays emitted by the earth, also known as earth shine, which illuminated the object from below. Secondly, there are strong infrared rays from the sun. So, the object has strong infrared rays surrounding it. Third, the infrared rays emitted by the object itself which varies based on temperature. The test put various objects in space to figure out what could and could not be seen. It turns out that the system could not tell the difference between various objects. So, yes the test was successful in achieving its intended objective of gathering information about what could be seen. But the result of this data indicates that the sensor could not distinguish between warheads and decoys.

IFT-2—This test was exactly the same as the first test, except a different kill (Raytheon) vehicle was used. However, this fact does change the fact that the decoys and warheads are indistinguishable. Kill vehicle technology is almost identical from one company to another. It's like using two different brands of binoculars. They both do the same thing, and the differences are minimal.

IFT-3—This test was designed to see whether the missile could hit a warhead. The missile hit the warhead, but with a little help from the designers. However, the test was modified to hit the * * *

[Attachment 1]

DAVID W. AFFELD,
Los Angeles, CA, July 12, 2000.

Re: U.S. ex rel Schwartz v. TRW, Inc.,
U.S.D.C. Case No. CV 96-3065 RAP
(RMCx).

Letter from David Affeld to Theodore A. Postol regarding Defense Security Service claims about the release of classified information.

Prof. THEODORE A. POSTOL,
*Department of Arms Control Studies,
Massachusetts Institute of Technology,
Cambridge, MA*

DEAR PROF. POSTOL: I represent Dr. Nira Schwartz in the above-referenced qui tam lawsuit. In connection with that case, Dennis Egan of the Department of Justice and Lt. Col. Bill Groves of the Ballistic Missile Defense Organization ("BMDO") spoke to me two days ago and yesterday, respectively, stating that the BMDO believes Dr. Schwartz improperly disclosed classified information to unauthorized persons over the past few months. In particular, Mr. Egan asserted that Dr. Schwartz had disclosed classified portions of a POET report to you.

Mr. Egan and Lt. Col. Groves also told me that agents of BMDO, the Defense Criminal Investigative Service and the U.S. Attorney's office want to question Dr. Schwartz regarding these allegations.

These allegations appear to be spurious. However, I am trying to determine whether there is any merit to them. I would appreciate it if you could give me your reaction to the above. For your reference, enclosed please find a copy of a letter regarding this matter which I sent to Mr. Egan and Lt. Col. Groves yesterday, July 11, 2000.

Very truly yours,

DAVID W. AFFELD.

[Attachment 2]

DAVID W. AFFELD,
Los Angeles, CA, July 11, 2000.

Re: U.S. ex rel Schwartz v. TRW, Inc.,
U.S.D.C. Case No. CV 96-3065 RAP
(RMCx).

Letter from David Affeld to Lt. Col. Groves regarding false allegations of criminality against Dr. Schwartz.

Lt. Col. BILL GROVES,
*BMDO General Counsel,
Washington DC.*

DEAR LT. COL. GROVES: As you know, I represented Dr. Nira Schwartz in the above-referenced qui tam lawsuit. This letter is to confirm pertinent portions of our telephone conversation of today, July 11, 2000, regarding the case. It also confirms pertinent portions of the telephone conversation I had last night with Dennis Egan of the Department of Justice, which you apparently had discussed with Mr. Egan before you and I spoke.

I contacted both you and Mr. Egan yesterday in my quest to obtain a security clearance for classified information needed to prosecute the case. You both provided helpful suggestions regarding how a security clearance might be obtained. However, I am very concerned about another matter you both raised.

Last night Mr. Egan told me that agents of the Defense Security Service ("DSS") and the Defense Criminal Investigative Service ("DCIS") will be contacting Dr. Schwartz shortly, to question her regarding supposedly classified information which she allegedly disclosed to unauthorized persons over the past several months. He also said that someone from the U.S. Attorney's office would be involved. You confirmed to me today that such an investigation is indeed imminent, and that the Ballistic Missile Defense Organization ("BMDO"), to which your office is legal counsel, requires the investigation. You also stated that in making the alleged improper disclosures, Dr. Schwartz supposedly violated a protective order entered in the case.

I asked each of you to identify what this supposedly classified information was, so I could determine whether there is any truth to the charges. Mr. Egan vaguely referred to the POET report apparently relied upon by MIT Professor Theodore A. Postol in some of his criticisms of the current missile defense system. However, that document consists solely of non-classified portions of the report publicly available from the court docket in the above-referenced case. You, on the other hand, told me that you were "duty-bound" not to tell me what the supposedly classified information is, because I do not have a security clearance. You also did not identify any persons to whom the information was supposedly disclosed, the dates of any supposed disclosures, or any disclosure events. I am thus posed with a Catch-22. It is obviously impossible to respond to charges that you refuse to articulate.

Just in case you were referring to the materials Dr. Schwartz filed with the Court last year, I have confirmed yet again that none of it was classified. I am not aware of any other "disclosures" by Dr. Schwartz. It appears that the charges—the unarticulated charges—by BMDO are false.

I am also concerned about what is motivating this "investigation". It comes at a time when the current missile defense program is the subject of heated national debate and intense media scrutiny. It also comes on the heels of the spectacular failure of the system last Friday, July 7, 2000. I am con-

cerned that the "investigation" of Dr. Schwartz is motivated not to preserve national security, but rather to intimidate an outspoken critic of the program, at a time when the White House is deliberating over whether to continue funding the program.

I certainly want to be cooperative, particularly since you intimated that my security clearance might depend on it. However, I must ask that you identify the particular individuals at BMDO who initiated this "investigation", and what specific classified information was supposedly disclosed, to whom, and when. If such disclosures have indeed been made, the information is now in the public domain, and no harm can come from advising Dr. Schwartz's legal counsel what that now-public information is. Fairness and due process require no less. On the other hand, if you decline to provide these specifics, I can only conclude that there is no basis for the charges, and that the BMDO has raised the specter of a criminal investigation purely to scare Dr. Schwartz. Dr. Schwartz obviously will not be a party to such an agenda.

Very truly yours,

DAVID W. AFFELD.

[Attachment 3]

COMMAND, CONTROL, COMMUNICATIONS, AND INTELLIGENCE, ASSISTANT SECRETARY OF DEFENSE,

Washington, DC, June 23, 2000.

Letter from Arthur L. Money to Theodore A. Postol making non-credible claims about the routine nature of Defense Security Service actions.

Dr. THEODORE A. POSTOL,
*Professor of Science, Technology and National Security Policy, Security Studies Program,
Massachusetts Institute of Technology,
Cambridge, MA*

DEAR DR. POSTOL: I regret any confusion surrounding the recent visit of representatives of the Defense Security Service (DSS) to you at your office. I have been asked to write to clarify the purpose of that visit.

The DSS representatives who met with you on June 21 were Industrial Security Specialists, who are usually called IS Representatives. DSS IS Representatives routinely meet with contractors and contractor employees who hold security clearances to discuss security issues, such as a potential unauthorized release of classified information. Their purpose in visiting you was to obtain information you might have about the source of possibly classified information contained in attachments to your letter dated May 11, 2000. I understand that you discussed the source of these attachments with the IS Representatives and provided information they sought; I appreciate your willingness to do so.

I want to assure you that you are not under investigation, and I regret any misunderstanding about the purpose of this visit. I hope DSS will have your cooperation as they continue to review this matter.

Arthur L. Money.

GOVERNMENT OVERSIGHT,
SECURITY STUDIES PROGRAM,
Washington, DC, July 13, 2000.

DAVID W. AFFELD,
*Attorney at Law,
Los Angeles, CA*

DEAR MR. AFFELD: I am writing you in response to your letter and our phone discussion of 12 July about threats of criminal prosecution against your client Nira Schwartz for the release of classified information to me. I understand that these

threats were made by Mr. Dennis Egan and Lt. Col. William Groves—lawyers working respectively for the Department of Justice and Defense. As I explained to you yesterday, it is clear that when these threats were made both Mr. Egan and Lt. Col. Groves knew, or should have known, that Dr. Schwartz had done nothing improper. It therefore appears that Mr. Egan and Lt. Col. Groves are involved in improper attempts to intimidate a witness in a qui tam lawsuit alleging fraud in the development of a weapons system that is supposed to defend the United States from nuclear attack. Furthermore, I was astounded to also find out that they attempted to interfere with the privileged relationship between an attorney and a client by falsely claiming that a security clearance you will need to work on the qui tam case would be contingent on your cooperating with them in their illegal efforts at intimidation.

The title of the document released to me that is being used as a vehicle for trying to intimidate Dr. Schwartz is "Independent Review of TRW Discrimination Techniques Final Report, (POET Study 1998-5)." This study is part of a scientific fraud that was designed to conceal the fact that the currently under development National Missile Defense system cannot tell the difference between warheads and decoys. The study was performed by contractors for the Department of Defense and with full knowledge of high-level Department of Defense officials.

In particular, I have talked with Mr. Sam Reed, the Defense Criminal Investigation Service leader of the Department of Defense Inspector General's investigation of allegations of fraud at TRW. He told me that he sanitized the document in question with the knowledge of his supervisors during the course of pursuing this earlier investigation. Furthermore, he told me that he had explained to Mr. Egan how Dr. Schwartz had properly obtained this declassified document. In addition, Mr. Reed told me that the Defense Security Service was informed of these facts. I therefore conclude that the actions of Egan and Groves are part of an ongoing effort by Department of Defense officials, and possibly other agencies, to intimidate witnesses in a continuing effort to hide acts of fraud with regard to the development of the National Missile Defense.

It is equally clear that officials at the highest levels of the Department of Defense are in some way involved in these illegal activities of their agents. In particular, the Assistant Secretary of Defense for C&I, Arthur Money, has been informed multiple times of these activities. I spoke with him by phone about a failed attempt to entrap and intimidate me by his agents on 21 June, after receiving a letter from him on 26 June via Express Mail. In that conversation he claimed ignorance of the details surrounding this event. I made it clear to him that I did not find his excuses credible and that I expected a better explanation of his involvement in the matter. In particular, I made it clear that if in fact he was ignorant of what was attempted by his agents he was culpable for not knowing what the agency under his control was doing, and if he was not ignorant, he was culpable for lying to me.

It is also of concern that these illegal actions are possibly being taken with the knowledge of members of the White House staff. The White House Chief of Staff, John Podesta, the President's Advisor on Arms Control, Hans Binnendijk, and the Vice President's National Security Advisor, Leon Fuerth, have all been provided with detailed

evidence of fraud in the National Missile Defense Program as well as misconduct in the Pentagon's Defense Security Service in letters sent to them dated 11 May, 19 May, 21 June, and 6 July. There is as yet no visible evidence that anyone in the White House has taken a serious action to address the numerous issues raised in these letters, and it is hard to believe that no one in the White House is aware of the marauding and out of control activities of the Defense Security Service.

It is now clear that a series of questions will eventually need to be answered in an investigation that should include interviews with White House staff, the Defense Security Service, the Department of Defense Inspector General's Office, and the Department of Justice.

These questions are as follows:

1. Who at the Department of Justice, in addition to Mr. Egan, knew and approved of his knowingly making false allegations of criminality against Dr. Schwartz?

2. Who at the Department of Defense, in addition to Mr. Money, knew and/or approved of Lt. Col. Groves' involvement in this affair?

3. What is Assistant Secretary Money's repeated role in these matters? Who else above him at the Pentagon knows of his activities?

4. What was the nature of the SECRET classified information that was presented to me in the unannounced meeting at my MIT office with three agents of the Defense Security Service?

5. Who was responsible for initiating the use of SECRET letters to deal with matters that could simply be investigated in terms of chain of custody?

6. Is the Department of Defense Inspector General's (IG) Office aware of these attempts at intimidation and entrapment? If so, why has the IG not taken steps to investigate these improper actions?

7. Given the substantial amount of information over a two-month period provided by my letters to the White House, what did the White House know of these activities aimed at intimidation and entrapment? If any staff knew of these activities, what did they know and what was their role in the process? If staff did not know of these activities, why did they not know?

At a minimum the responsible U.S. government agencies have so far conducted themselves in a manner like that of a fictitious banana republic. Of greater concern to me is that the White House and other elements of our government, either by intent or negligence, are allowing, or worst yet, encouraging, Department of Defense officials to conduct business like Soviet style thugs.

In any case, it is clear that the document "POET Study 1998-5" was properly sanitized before it was released to Dr. Schwartz. If I were in Dr. Schwartz's position, I would not talk to the Defense Security Services. I suggest instead that if they approach her she simply ask them to write a letter to her explaining what they want to know from her, why they want to know this, and who, by name, is asking for the information. If the information is the letter is credible, she should respond in writing.

Sincerely,

THEODORE A. POSTOL,

Professor of Science, Technology, and National Security Policy, Security Studies Program and Program in Science, Technology, and Society.

Mr. MURTHA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Let me say that I recognize all the hard work that went into putting this bill together, and I regret that I cannot vote for it, and let me explain why.

Number one, this bill does not respond to what the Congress always claims the problem is. Every year, when the President sends his budget down, we are then told by the majority that somehow the President is not responding sufficiently to the issue of readiness, and then, when we take a look at what Congress finally does, Congress responds, but it responds in a way which puts other items at a higher priority than a number of the readiness-related accounts.

For example, if we take a look at this budget or at this bill being presented today, the public will be told that for operation and maintenance, which is a key factor in readiness, that it is about \$600 million above the President. But if we take a look at the adjustments that are then made by the committee in overseas contingency operations, in foreign currency reestimates, in working capital funds, in headquarters administration accounts, we will see that, in fact, the committee cuts those readiness-related items by about \$3 billion. So this Congress, having attacked the President for not having enough in the budget to deal with readiness-related accounts, in fact, will have produced a bill which is about \$2.4 billion below the President's request for those accounts. That money has been moved largely into procurement and into research and development.

□ 1415

It is just by accident, I suppose, that a good many of the congressionally earmarked projects are found in those areas.

I do not suggest that all of those projects are bad. They are not. Some of them are very deserving. All I do suggest is that this Congress should not pretend that it has strengthened the President's budget for readiness, because in fact it has made a number of reductions in this bill which produce readiness-related account funding levels lower than that recommended by the President.

Secondly, I would simply say that the President's budget as he submitted it to us had a very large increase, but that was presented in the context of also providing increases for education, for health care, for agriculture, for land acquisition, items like that.

This bill is presented to us in a far different context. This bill increases the military spending of the country by \$20.9 billion, when we discount all the gimmicks. Just the increase in this bill is larger than the entire foreign aid bill. It is larger than the entire Interior appropriation bill.

If we take a look at where it goes, a lot of it goes, in my judgment, not on

the basis of where it is needed militarily but where it is produced economically. I think the country needs to understand that, as well.

Secondly, I would say that we need to put in context what threat it is responding to. This chart demonstrates what our defense budget is versus the rest of the world, or certainly at least our adversaries and our allies.

The United States spends about \$266 billion, as represented by this bar. That is far more than the combined total of Russia, China, Iran, North Korea, Libya, our major opponents. That does not count the allies, our NATO allies, which last time I looked were on our side. They spent \$227 billion. So again, we dwarf the amount of money which is spent on military accounts worldwide.

If we are going to do that, it seems to me that we have an obligation both to take care of our other national priorities and to make certain that our budget has an accounting which is at least as forthright as that provided by the administration. I do not believe it is.

Mr. Speaker, for those reasons, and for others, I will be constrained to vote against the bill when the time comes.

Mr. MURTHA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the military will not misconstrue that chart to think that I like charts.

Mr. Speaker, I yield back the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee.

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of this bill. It is a good bill. The chairman and the ranking member and all the members of the subcommittee have done an outstanding job in bringing it to us originally, and bringing it to us from the conference committee.

There has already been more than enough debate on this issue of our Nation's security on this particular bill. I urge the Members to support it very strongly.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the conference report for H.R. 4576, the Defense Appropriations Act for FY 2001. In addition to supporting defense projects, this bill provides critical funding for important health research programs.

I am pleased that the conference has included \$15 million for the Neurotoxin Exposure Treatment Research Project in the search for answers to the mystery of Parkinson's disease.

Parkinson's Disease is a chronic, progressive disorder affecting one million Americans. In its final stages, the disease robs individuals of the ability to speak or move. Of the many things we know about Parkinson's, we know that there appears to be a disproportionate number of veterans who are afflicted with Parkinson's disease.

This breakthrough research will study the links between Parkinson's and environmental stress exposure factors encountered in military operations. The data will advance preventive measures and treatment interventions against the effects of military threats and operation hazards.

I am also pleased that the bill contains \$12 million for ovarian cancer research, \$100 million for basic and clinical prostate cancer research, and \$175 million for the Peer-Reviewed Breast Cancer Research Program (BCRP). Breast cancer is the most common cancer among women; and one out of every eight women will be afflicted with the disease in her lifetime. Our best hope today is early detection and more research.

In just six years, the Breast Cancer Research Program has matured from an isolated research program to a well-respected resource in the cancer community. It is overseen by a group of distinguished scientists and activists, as recommended by the Institute of Medicine. 90% of the funds go directly to research grants, and consumer advocates are included at every level.

I thank the conferees for recognizing the importance of this program.

Mr. BLUMENAUER. Mr. Speaker, I will oppose the defense appropriations conference report before us because, at \$288 billion, it spends too much money and spends it inefficiently. The \$1.9 billion it contains for national missile defense is but the most glaring example. That is an amount even greater than the House voted for national missile defense last month.

President Clinton has said that later this year he will decide whether to deploy a national missile defense system. In light of the failure of the last two tests of this system, no decision to deploy should be made.

The President has said his decision will be based on four criteria: the technology, the cost, the threat, and the impact on arms control. For each, the case for deployment is weak at best.

On the technology, the recent test failures demonstrate just how hard effective missile defense is. It is impossible to know whether the system will work until realistic tests are done, and that will not happen for years, if ever. We should not risk American lives on a bet that missile defense will work.

On cost, since the late '50s, the U.S. has spent over \$120 billion on missile defense, with almost nothing to show for it. The Congressional Budget Office estimates that the Pentagon's current proposal will cost \$60 billion. This is pouring more money into a hole in the ground.

On threat, it is far better to pursue such endeavors as the ongoing talks with North Korea on ending its emerging missile program rather than attempting to build a defense against non-existent missiles.

On arms control, a U.S. national missile defense is likely to push countries that already have nuclear weapons, Russia and China, to maintain or expand their arsenals, and risks destroying the entire nonproliferation regime that the U.S. has tirelessly built over the last 50 years.

A missile defense that does not work while exacerbating tensions with potential adver-

saries is far worse than no defense at all. We should spend our money on more useful things.

Mr. WATTS of Oklahoma. Mr. Speaker, today the House passed the FY 2001 Defense Appropriation Bill. Included in this important legislation was the funding for the Crusader Program at the level requested by the President. The President's Budget requests includes \$355.5 million for the continued development of the Crusader advanced field artillery system.

Artillery is the one combat capability where the United States significantly lags behind its allies and potential adversaries. Without Crusader this unacceptable situation will worsen and endanger our military personnel who are sent in harm's way. Furthermore, the major reason the Army felt it could accept the risk of the 1996 decision to reduce the combat power of its heavy divisions was that Crusader would be fielded with its increased capabilities.

The Army leadership staunchly supports the need for this system and the unified commanders have likewise voiced their support. The Army has restructured the program to ensure it fits within the overall transformation effort of the operational forces. The number of howitzers intended to be procured is 480. The Crusader is being modified to support the Army's transition initiatives and Objective Force across the full spectrum of missions. Crusader is the cannon system for the Army's one remaining counterattack corps. It will be providing continuous, all-weather fire support to the corps well into the fourth decade of the new century, a time when the corps transitions to the Objective Force.

Also, Crusader is being redesigned to increase its global strategic deployability while retaining all of its Key Performance Parameters (range, rate-of-fire, mobility, and resupply). Important features of the redesigned Crusader are lower weight (38 to 42 tons), smaller size (2 howitzers or a complete system transportable on a single C-5 or C-17 sortie), and a change in resupply vehicle philosophy.

This \$355 million in research and development funds will be used to help secure our nation's future.

Mr. LEWIS of California. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 367, nays 58, not voting 9, as follows:

[Roll No. 413]

YEAS—367

Abercrombie	Bachus	Barrett (NE)
Ackerman	Baird	Bartlett
Aderholt	Baker	Bass
Allen	Baldacci	Bateman
Andrews	Ballenger	Becerra
Archer	Barcia	Bentsen
Armedy	Barr	Bereuter

Berkley	Gekas	Martinez
Berman	Gephardt	Mascara
Berry	Gibbons	Matsui
Biggert	Gilchrest	McCarthy (MO)
Bilbray	Gillmor	McCarthy (NY)
Bilirakis	Gilman	McCollum
Bishop	Gonzalez	McCrery
Blagojevich	Goode	McHugh
Bliley	Goodlatte	McInnis
Blunt	Goodling	McIntyre
Boehrlert	Gordon	McKeon
Boehner	Goss	McNulty
Bonilla	Graham	Meehan
Bonior	Granger	Meek (FL)
Bono	Green (TX)	Menendez
Borski	Green (WI)	Mica
Boucher	Greenwood	Millender-
Boyd	Gutknecht	McDonald
Brady (PA)	Hall (OH)	Miller (FL)
Brady (TX)	Hall (TX)	Miller, Gary
Brown (FL)	Hansen	Mink
Bryant	Hastings (FL)	Moakley
Burr	Hastings (WA)	Mollohan
Burton	Hayes	Moore
Buyer	Hayworth	Moran (KS)
Callahan	Hefley	Moran (VA)
Calvert	Herger	Morella
Camp	Hill (IN)	Murtha
Canady	Hill (MT)	Myrick
Cannon	Hilleary	Napolitano
Capps	Hilliard	Neal
Cardin	Hinchey	Nethercutt
Carson	Hinojosa	Ney
Castle	Hobson	Northup
Chabot	Hoefel	Norwood
Chambliss	Hoekstra	Nussle
Chenoweth-Hage	Holden	Olver
Clay	Holt	Ortiz
Clayton	Horn	Ose
Clement	Hostettler	Oxley
Clyburn	Houghton	Packard
Coble	Hoyer	Pallone
Coburn	Hulshof	Pascarell
Collins	Hunter	Pastor
Combest	Hutchinson	Pease
Condit	Hyde	Pelosi
Cook	Inslee	Peterson (PA)
Cooksey	Isakson	Petri
Costello	Istook	Phelps
Cox	Jackson-Lee	Pickering
Cramer	(TX)	Pickett
Crane	Jefferson	Pitts
Crowley	Jenkins	Pombo
Cubin	John	Pomeroy
Cummings	Johnson (CT)	Porter
Cunningham	Johnson, E. B.	Portman
Danner	Johnson, Sam	Price (NC)
Davis (FL)	Jones (NC)	Pryce (OH)
Davis (VA)	Jones (OH)	Quinn
Deal	Kanjorski	Radanovich
DeLauro	Kaptur	Rahall
DeLay	Kasich	Regula
DeMint	Kelly	Reyes
Deutsch	Kennedy	Reynolds
Diaz-Balart	Kildee	Riley
Dickey	Kilpatrick	Rodriguez
Dicks	Kind (WI)	Roemer
Dingell	King (NY)	Rogan
Dixon	Kingston	Rogers
Dooley	Klecicka	Rohrabacher
Doolittle	Knollenberg	Ros-Lehtinen
Doyle	Kolbe	Rothman
Dreier	Kuykendall	Roukema
Dunn	LaFalce	Roybal-Allard
Edwards	LaHood	Royce
Ehrlich	Lampson	Ryan (WI)
Emerson	Lantos	Ryun (KS)
Engel	Largent	Sabo
English	Larson	Salmon
Etheridge	Latham	Sanchez
Evans	LaTourette	Sandlin
Everett	Lazio	Sawyer
Ewing	Leach	Saxton
Farr	Levin	Scarborough
Fattah	Lewis (CA)	Schaffer
Fletcher	Lewis (GA)	Scott
Foley	Lewis (KY)	Serrano
Forbes	Linder	Sessions
Ford	Lipinski	Shadegg
Fossella	LoBiondo	Shaw
Fowler	Lowey	Sherman
Franks (NJ)	Lucas (KY)	Sherwood
Frelinghuysen	Lucas (OK)	Shimkus
Frost	Maloney (CT)	Shows
Gallegly	Maloney (NY)	Shuster
Gejdenson	Manzullo	Simpson

Sisisky	Tanner	Walden
Skeen	Tauscher	Walsh
Skelton	Tauzin	Wamp
Slaughter	Taylor (MS)	Watkins
Smith (MI)	Taylor (NC)	Watts (OK)
Smith (NJ)	Terry	Weldon (FL)
Smith (TX)	Thomas	Weldon (PA)
Snyder	Thompson (CA)	Weller
Spence	Thompson (MS)	Wexler
Spratt	Thornberry	Weygand
Stabenow	Thune	Whitfield
Stearns	Thurman	Wicker
Stenholm	Tiahrt	Wilson
Strickland	Toomey	Wise
Stump	Towns	Wolf
Stupak	Trafficant	Woolsey
Sununu	Turner	Wu
Sweeney	Udall (NM)	Wynn
Talent	Visclosky	Young (AK)
Tancredo	Vitter	Young (FL)

NAYS—58

Baldwin	Jackson (IL)	Ramstad
Barrett (WI)	Kucinich	Rangel
Blumenauer	Lee	Rivers
Brown (OH)	Lofgren	Rush
Capuano	Luther	Sanders
Conyers	Markey	Sanford
Coyne	McDermott	Schakowsky
Davis (IL)	McGovern	Sensenbrenner
DeFazio	McKinney	Shays
DeGette	Meeks (NY)	Stark
Delahunt	Metcalfe	Tierney
Doggett	Miller, George	Udall (CO)
Duncan	Minge	Upton
Ehlers	Nadler	Velazquez
Eshoo	Oberstar	Waters
Filner	Obey	Watt (NC)
Frank (MA)	Owens	Waxman
Ganske	Paul	Weiner
Gutierrez	Payne	
Hooley	Peterson (MN)	

NOT VOTING—9

Baca	Campbell	Smith (WA)
Barton	Klink	Souder
Boswell	McIntosh	Vento

□ 1445

Messrs. JACKSON of Illinois, OWENS, MCDERMOTT, RANGEL and MEEKS of New York changed their vote from “yea” to “nay.”

Ms. GRANGER changed her vote from “nay” to “yea.”

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE PAUL COVERDELL, SENATOR FROM THE STATE OF GEORGIA

Mr. LEWIS of Georgia. Mr. Speaker, I offer a privileged resolution (H. Res. 558) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 558

Resolved, That the House has heard with profound sorrow of the death of the Honorable Paul Coverdell, a Senator from the State of Georgia.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That a committee be appointed on the part of the House to join a committee appointed on the part of the Senate to attend the funeral.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Georgia (Mr. LEWIS) is recognized for 1 hour.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

It is with profound sadness that I rise today to offer a resolution of condolences on the passing of Senator PAUL COVERDELL. PAUL COVERDELL was the senior Senator from the State of Georgia and, more importantly, he was a dear friend.

It is with deep sadness that we say good-bye to our good friend, our colleague and our brother, PAUL COVERDELL. PAUL COVERDELL's unexpected death is so sad and so hard. I have known him for many years, almost 30 years. As young men, we both campaigned for an open congressional seat in 1977. Later, we both came here to Washington to represent the people of Georgia.

Over the years, we shared many rides together back and forth to Washington. We would often see each other here and in Georgia, and we spent a lot of time talking about life and about what is good for the people of Georgia and for the people of our Nation.

PAUL was not just another colleague. He was like family to me and to so many of our colleagues. His passing, his death, hurts. It is painful. It is more than sad. We have not just lost a friend, but we have lost a member of our family.

PAUL COVERDELL's intelligence, commitment, ethics and leadership stood out. He was a friendly, peaceful man. He cared for his colleagues, his friends, the people who elected him, and even people he did not know. He was wonderful to work with, to be with, to travel with. He was good to be around. A wonderful man. One of the good guys. He was my friend, Mr. Speaker. He was my brother.

We occupied different sides of the aisle, and we did not always agree, but always had the utmost respect and admiration for this man. For three decades, as a Georgia lawmaker, Peace Corps director, United States Senator, PAUL COVERDELL was a man who could be trusted to get the job done. He focused on the war on drugs, worked to improve education, and fought for the farmers and small business people of Georgia. He was always prepared to help out and take on any task that was required.

But PAUL COVERDELL never sought out the limelight. He never sought the headline. He would never grandstand. He worked hard behind the scenes without seeking any recognition. In today's political climate, PAUL COVERDELL was an unusual and extraordinary